

**Amendments to the Drawings:**

The attached sheets, 1-3, of replacement drawings include the following changes: Each of the figures has been reduced in size, extraneous matter has been deleted, and reference numbers have been added.

### **Remarks**

Favorable reconsideration is respectfully requested in light of the amendments and following discussion.

The specification has been amended to place it in the proper format. Claim 1 has been cancelled. New claims 2-17 have been added to the application. However, no new matter has been introduced by the amendments.

### **Objections to the Drawings**

The drawings were not acceptable because they were oversized and not electronically reproducible. The drawings were also objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include any reference signs. The examiner indicated that corrected drawing sheets are required in reply to the Office Action to avoid abandonment of the application.

Applicant has submitted new drawings labeled "Replacement Sheet" with the appropriate corrections to Figure 1, Figure 2, and Figure 3. Reconsideration of the drawings is respectfully requested.

### **Claim Rejections Under 35 U.S.C. § 112**

Claim 1 was rejected for failing to define the invention in a manner required by 35 USC § 112, second paragraph, because the claim was not in one sentence form.

### **Applicants Response to the Claim Rejections Under 35 U.S.C. § 112**

Applicant has cancelled claim 1, added claims 2-17 in the correct format under 35 USC § 112 and respectfully requests examination of those claims.

### **Claim Rejections Under 35 U.S.C. § 103**

Claim 1 was rejected under 35 USC § 103(a) as being unpatentable over Takeshima (US 6676079), and further in view of Kaura (US 6571677).

The examiner indicated that Takeshima taught a wall which extends vertically from the floor to a ceiling, but also extends transversely of the flight deck from the left wall to the right wall of the fuselage, whereupon the flight deck and passenger cabin are completely

separated and isolated from each other. However, the examiner acknowledged Takeshima does not describe the material the wall/partition is made of only that it “has a high strength and thickness enough to withstand a force applied from hijackers who intend to destroy the wall.” (Col 3 lines 4-16)

The examiner further indicated that Kaura teaches a ballistic protective laminate made of Kevlar™ and titanium for use in cockpit doors or partitions.

According to the examiner it would have been obvious to one skilled in the art at the time of invention to combine Takeshima with Kaura to create a Kevlar™ and titanium partition which would completely isolate the cockpit from the passenger compartments.

#### Applicants’ Response to Claim Rejections Under 35 U.S.C. § 103

Applicant has cancelled claim 1. Applicant asserts that claim 2 is patentable under 35 USC § 103(a) over Takeshima (U.S. Patent No. 6,676,079) in view of Kaura (U.S. Patent No. 6,571,677). Applicant therefore asserts that because claim 2 is patentable that dependent claims 3-12 are also patentable. Applicant further asserts that claims 13-17 are also patentable.

Applicant traverses the Examiner’s assertion that the combination of Takeshima and Kaura would teach someone with ordinary skill in the art a dividing wall with the same configuration and functional characteristics as applicant’s anti-hijacking shield. Applicant further asserts that there is no motivation for combining them based on the teachings of Kaura. Therefore, applicant’s invention would not have been obvious to someone of ordinary skill in the art at the time of the invention.

Takeshima describes, generally, a passenger aircraft design with a rigid partition wall. Takeshima teaches “the complete partition wall is formed from a hard material, such as duralumin, which has a high strength and thickness enough to withstand a force applied from the hijackers who intend to destroy the wall.” (Col 3 lines 13-16) Takeshima teaches a wall capable of withstanding force from a glass bottle, necktie, or a person skilled in martial arts. (Col 1 lines 26-33). Kaura describes, generally, ballistic panels made up of layers. Applicant’s claimed invention is not rendered obvious by the combination of Takeshima and Kaura because neither teach, describe, or suggest a dividing wall comprising a ballistic

resistant layer attached to a metal plate attached to one or more studs mounted to the fuselage supporting members.

Claim 2 describes an anti-hijacking cockpit shield comprising one or more metallic studs mounted to the fuselage and a stationary dividing wall rigidly attached to one or more studs and configured to completely isolate the cockpit from the passenger compartment. The addition of a secured studding system allows for maximum ballistic resistance and protection because the studding acts as a rigid support for the dividing wall. The studding also provides structural support to the fuselage supporting members. Since neither references suggest, described, disclose, or teach a rigid support system, their use as a basis for a rejection under 35 U.S.C. 103(a) is improper.

Furthermore, applicant traverses the Examiner's assertion that Kaura teaches a ballistic protective laminate for use in partitions. Kaura teaches that "panels can also be used to reinforce aircraft cockpit doors, buildings, containers, fighting vehicles, cars, podiums, and many other applications" (Col 2 lines 28-31). Kaura does not teach or suggest that the ballistic proof laminate maybe used in or as a partition or wall. Nor does Kaura suggest using studs to fix the position of the laminate for use as a partition or wall. Furthermore, Kaura's configuration does not provide the structural support, only reinforcement, incorporated into applicant's design by attaching a stud system to the fuselage or an outer skin layer. Therefore, applicant's design would not have been obvious to one of ordinary skill in the art at the time of invention.

Thus applicant avers that the combination of Takeshima and Kaura would not result in the claimed invention.

Conclusion

In view of the foregoing remarks, favorable reconsideration of the present application and the passing of this case to issue with all claims allowed is respectfully requested.

Should the Examiner wish to discuss any aspect of this application, applicants' agent suggests a telephone interview in order to expedite the prosecution of the application.

Respectfully submitted,

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Date

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